



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JPW/1616

Applicants: Philipp E. Scherer, et al.

Serial No.: 10/578,811

Case No.: 21580YP

Art Unit:

1616

Filed: May 4, 2006

Examiner:

For: METHOD OF IDENTIFYING RESPONDERS TO
TREATMENT WITH INSULIN SENSITIZERS

Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Applicants hereby request that a corrected Filing Receipt be issued. The present Filing Receipt has the following errors:

The inventor named first on the current filing receipt is John A. Wagner, Westfield, NJ. Both the inventor name and state of residence are incorrect.

The first inventor should be **Philipp E. Scherer**, Hartsdale, **NY**. The correct name and state are shown in Bold type. Please make this correction.

A photocopy of the filing receipt with the changes marked thereon is enclosed with this request. A photocopy of the Filing Receipt from the US provisional application showing the correct names and addresses is included. Correction of the Filing Receipt is respectfully requested.

Any fees required in connection with this request may be charged to Merck Deposit Account No. 13-2755.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By John A. Wagner Date 3/19/2007

Respectfully submitted,

By

James L. McGinnis
Reg. No. 34,387
Attorney for Applicant

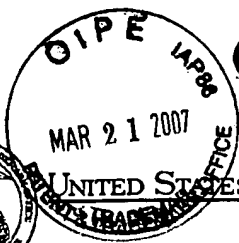
MERCK & CO., Inc.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-0641

Date: March 19, 2007

James L. McGinnis

SEP 15 2004

21580PV



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
60/518,390	11/07/2003		160	21580PV	1		

000210
 MERCK AND CO INC
 P O BOX 2000
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KATHY KLEIN

CONFIRMATION NO. 1473

FILING RECEIPT



OC000000013723160

Date Mailed: 09/03/2004

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Philipp E. Scherer, Hartsdale, NY;
 Utpal B. Pajvani, Bronx, NY;
 John A. Wagner, Westfield, NJ;

Power of Attorney:

James L. McGinnis-34387

If Required, Foreign Filing License Granted: 09/03/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,
US60/518,390

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

Title

Method of identifying responders to treatment with insulin sensitizers

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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PATENT DEPARTMENT

JAN 30 2007

JAMES L. MCGINNIS

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/578,811	05/04/2006	1616	1250	21580YP	1	33	2

210
MERCK AND CO., INC
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JAN 29 2007

LOT 8072181

CONFIRMATION NO. 8553

FILING RECEIPT



OC00000022171626

Date Mailed: 01/26/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) Philipp E. Scherer
~~John A. Wagner, Hartsdale, NY;~~
Utpal B. Pajvani, Bronx, NY;
John A. Wagner, Westfield, NJ;

Power of Attorney: The patent practitioners associated with Customer Number 000210.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/36648 11/04/2004
which claims benefit of 60/518,390 11/07/2003

Foreign Applications

If Required, Foreign Filing License Granted: 01/25/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/578,811**

Projected Publication Date: 05/03/2007

Non-Publication Request: No

Early Publication Request: No

Title

Method of identifying responders to treatment with insulin sensitizers

Preliminary Class

424

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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